Department of Rev.

OFFICE of the Registrar

STATION Madras

No. 3845

Dated 13/11/37

SUBJECT.

Suits - (Bellary) - Assessment of Rs. 1911:

Telephone lines - Claim - Reference Secretariat

From (Name) H.C.Wood Esq., I.C.S,

(Designation) Collector,

Post Box....., (Station) Bellary.

Telegraphic Addres

To

The Secretary to the Board of Revenue
Madras.

Ref. C.No. 4719-36A-7 *dated* 26-11-37. 19

Sir,

Treasure Trove- Kudligi taluk- Nimbalageri village find of rupee coins- suit filed by Sundappa Gundappa and Muddappa claiming the treasure- defence of the sanction requested

Treasure to the value of Rs 445 consisting of a rupee and quater rupee coins. ranging from the 1835 to 1900 A.D. was found by one Gumma Basappa Nimbalageri village, Kudligi taluk, and persons the treasure were required to appear before the Bellary on 25-3-37 to establish their claims. Muddappa and Gundappa of Nimbalageri appeared 25-3-37 and presented a petition claiming the on the ground that the site in which it was found belonged to them. After due enquiry. the petitioners were directed under section 8 of Act VI of 187 establish their claim by instituting a suit in court. They have filed a suit on 22-7-37 in District Munsif's court. Hospet.

after 10-12-37 I request that orders may be communicated at an early date.

(V) This office file C.No. 4719-36 (Pages 1 to 114) is also reference and return.

26/11-37

Collector.

1 Surasetti Gundappa

2 " Mallappa

&

1 Gumma Basappa

2 Secretary of State for India in Council.

Represented by the Collector of Bellary.

Written Statement on behalf of the 2nd Defendant.

The Defendant begs to submit as follows:-

1. This Defendant puts the plaintiff to strict proof of all allegations in the plaint except such as are herein, expressly admitted to be correct.

2. That this Defendant is not aware of the allegations in para of the plaint and puts the plaintiffs to strict proof thereof.

3. This suit is not maintainable in the absence of a definite allegation that the plaintiffs or such a particular ancestor from whom they inherit had hidden the treasure. The plaintiffs can succeed only if they prove conclusively that a particular person hid the treasure and that they inherit through him.

4. That the mere ownership of the soil does not entitle the plaintiffs to the ownership of the treasure which has been hidden under the soil.

That it would entitle them later on to put forward their claim before the collector under sec 12 when the stage is to be reached.

5. That the site in which the treasure was found is an open one accessible to all persons and as such the treasure might have been hidden by any one.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ...		
When copied ...		
When examined...	13.12.37	
When signed ...		
When despatched.		

SUBJECT :—

Smith (Bellary). Hospet ~~Dist~~ D.M.C.
C.S. No. 171/31. Treasure trove case -
Claim of Government sanctioned.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO* :—

No. 14542/37 From the Govt. of Bellary, No. C-4719, dated 26/11/1937. ?

" _____ " _____ " 1147 " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution — Ms. / Rout. No. 3845, dated 13/12/ 1937.

Proceedings only despd 13/12

Encls. despd on 14-12-37

The Govt. sanctions the defence of the suit and approves the draft written statement subject to the modification that the words "Province of Madras" should be substituted for the words "Secretary of State for India in Council" in the description of the defendant and that the word "Second" should be inserted between the words "the" and defendant" in the second sentence of paragraph 6.

11.12.37

13/12/37

Govt. letter dated 13-12-37 with
this file C.S. No. 4719/36. Pages 1 to 114)
returned.

Dept. Asst. (W)

No. 166

For Insurance Notices see reverse.
Stamps affixed except in case of uninsured letters not exceeding 2½ tolas or one ounce in weight or on which no acknowledgment is due.

Rs. 0 As.

Date-stamp

Received a registered * ——————

addressed to ——————

——————

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* Write here "letter," "postcard," "packet" or "parcel" with the word "Insured" before it when necessary.

Initials of Receiving Officer.

If insured.

Insured for Rs. (*in figures*)—————(*in words*)—————

Insurance fee Rs.——As.——(*in words*)————— *Weight* ——— *Rates* ——— *Tolas*

Name and address of sender. ——————

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Suits - (Bellary) - Hospet Th - D.M.C

O.S No 191/37 - Treasure trove.

Claim - Defence - Sanction.

A4542/31-Proj C-4719/36-A1 J/26/XI/37

To A.S (L.R)

Please see the collr's letter at pp 1-2 of. The o.c may sanction the defence of the suit and approve the written statement at p3 of.

hw
7/12/37.
9.12.37

9/12/37 A.S (G)
9.12.37

M.2.

To A.S (L.R)

draft submitted.

hw
11.XII.37.
11.12.37

13/12/37